

**PROPOSED AMENDED TEXT OF REGULATIONS
DEPARTMENT OF STATE HOSPITALS
CONFLICT OF INTEREST CODE**

CALIFORNIA CODE OF REGULATIONS
Title 9. REHABILITATIVE AND DEVELOPMENTAL SERVICES
Division 1. Department of Mental Health
Chapter 2. Conflict of Interest Code

(Note: The proposed amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions from the existing regulatory text.)

§ 400. General Provisions.

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted Section 18730 of Title 2, California Code of Regulations (CCR), containing the terms of a standard Conflict of Interest Code. Section 18730 may be incorporated by reference, and may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of Section 18730 of Title 2, CCR and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendices (in which officials and employees are designated and disclosure categories are set forth), are hereby incorporated by reference. These terms, amendments and Appendices constitute the Conflict of Interest Code of the Department of ~~Mental Health~~ State Hospitals (“Department”).

~~Designated employees~~ Individuals holding designated positions shall file statements of economic interests with the Department, ~~of Mental Health,~~ which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). Upon receipt of the statement for the Director, the Department shall make and retain a copy and forward original statement. ~~The Director’s original statement shall be sent to the Fair Political Practices Commission and a copy retained by the filing officer.~~ All other statements will be retained by the Department.

NOTE: Authority cited: Sections 87300 and 87306, Government Code Reference: Section 87300, et seq., Government Code.

APPENDIX A

(Note: The existing text in Appendices A and B is proposed for repeal and is to be replaced with the following new proposed text for adoption below.)

List of Designated Positions

Persons holding the following job classifications are hereby required to file statements of economic interests (Form 700) in accordance with the disclosure categories indicated below. Each disclosure category is described in Appendix B.

Designated Positions

Assigned Disclosure Categories

Headquarters - Sacramento

Directorate

Director	1
Chief Deputy Director	1
Deputy Director, Statewide Quality Improvement Program	2
Special Assistant to the Director	2
Assistant Director, Office of Communications	2
Assistant Director, Legislation	2
Information Officers II	3
Senior Management Auditor	3
Staff Services Management Auditor	3
Staff Services Manager I, II, III (Specialist, Supervisory, Managerial)	3

Clinical Operations

Deputy Director	2
Assistant Deputy Director	2

Forensic Services

Deputy Director	2
Assistant Deputy Director	2
Chief Psychologist, Correctional Facility	5
Mental Health Program Supervisors	3
Staff Services Manager I, II, III (Specialist, Supervisory, Managerial)	3

Hospital Strategic Planning and Implementation

Deputy Director	2
Assistant Deputy Director	2
Research Manager	4
Staff Services Manager I, II, III (Specialist, Supervisory, Managerial)	4

Legal

Chief Counsel/Deputy Director	1
Deputy Chief Counsel	1
All Assistant Chief Counsels	2
All Attorneys	2
Staff Services Manager I, II, III (Specialist, Supervisory, Managerial)	3

Office of Human Rights

Chief, Office of Human Rights	2
Staff Services Manager I, II, III (Specialist, Supervisory, Managerial)	3

Office of Protective Services

Chief, Law Enforcement	2
Supervising Special Investigators II	3 & 5

Technology Services

Deputy Director/Chief Information Officer	2
Data Processing Managers, I, II, III, IV	6
Staff Information Systems Analyst (Supervisor)	6
Senior Information Systems Analyst (Specialist & Supervisor)	6
Systems Software Specialist II, III (Technical & Supervisor)	6
Staff Services Manager I, II, III (Specialist, Supervisory, Managerial)	6

Administrative Services

Deputy Director, Administrative Services	2
Assistant Deputy Director/Chief Financial Officer	2
Chief Operating Officer	2
Chief, Human Resources and Labor Relations	2
Chief, Accounting	2
Accounting Administrator I, II, III (Specialist & Supervisor)	3
Senior Accounting Officer (Supervisor)	3
Labor Relations Manager I, II	2
Senior Architect	3
Senior Mechanical Engineer	3
Associate Governmental Program Analyst/Associate Budget Analyst	
• Business Services	
• Contracts	
• Facilities	3
• Fiscal	
• Procurement	

Staff Services Manager I, II, III (Specialist, Supervisory, Managerial)

• Budgets	
• Business Services	
• Contracts	
• Facilities	
• Fiscal	3
• Human Resources	
• Patient Cost Recovery	
• Procurement	
• Risk Management	

Hospitals

Executive Director	2
Medical Director	5
Hospital Administrator	2
Clinical Administrator	5
Assistant Hospital Administrator	2
Accounting Administrator I, II, III (Specialist & Supervisor)	3
Hospital General Services Administrators	3 & 5
Patient Benefit and Insurance Officers	3 & 5
Mental Health Program Supervisors	3 & 5
Business Services Officer I, II (Supervisor)	3 & 5
Property Controller I, II	3
Chief Engineer I, II	3
Chief of Plant Operations	3
Chief of Professional Education	5
Chief Physician and Surgeon	5
Chief Dentist	5
Chief Psychiatrist, Correctional & Rehabilitation Services	5
Chief Psychologist, Correctional Facility	5
Chief, Protective Services & Security	3 & 5
Fire Chiefs	3 & 5
Medical Services Administrator	5
Nursing Administrator	5
Director of Dietetics	5
Assistant Director of Dietetics	5
Pharmacy Services Manager	5
Program Director Mental Disabilities	5
Pathologist/Lab Director	5
Supervisor Clinical Laboratory Technician	5
Associate Governmental Program Analyst	
• Business Services	
• Contracts	
• Facility Operations	3
• Plant Operations	
• Procurement	
Staff Services Manager I, II, III (Specialist, Supervisory, Managerial)	
• Budgets	
• Business Services	
• Contracts	
• Facility Operations	
• Fiscal	3
• Forensics	
• Human Resources	
• Plant Operations	
• Procurement	
• Risk Management	

- Staff Development
- Standard Compliance
- Training Department

Staff Services Manager I, II, III (Specialist, Supervisory, Managerial)

- External Affairs
- General Services
- Health Information Management Department
- Housekeeping Department
- Nursing Administration
- Nutrition Services

3 & 5

All Department Consultants and New Positions: Consultants and new positions are included in the list of designated positions and must disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

The Director may determine in writing that a particular consultant or new position, although a “designated position”, is hired to perform a range of duties that are limited in scope and thus not required to comply with the disclosure requirements described in this Code. Such determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. Nothing herein excuses any such consultant or new position from any other provision of this Conflict of Interest Code.

Appendix B

Disclosure Categories

Category 1

Interests in real property located within one mile of any hospital subject to the Department jurisdiction, and all investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments).

Category 2

All investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments).

Category 3

Investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) if the business entity or source **provides leased facilities, products, equipment, vehicles, machinery or services (including training or consulting services) of the type utilized by the Department.**

Category 4

Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) if the business entity or source is subject to **regulation by the division of the Department of State Hospitals in which the designated employee holds his or her position.**

Category 5

Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) if the business entity or source is of the type:

- that is eligible to **receive patient referrals for the delivery of health care services or supplies by the hospital to which the employee is assigned; or**

- **to provide any type of dental, mental, medical, or health care services or products, including prescriptions, ambulance services, and well-being programs.**

Category 6

Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) if the business entity or source **provides information technology and telecommunications goods, products or services, including but not limited to, computer hardware or software companies, computer consultant services, training, data processing firms, and media services.**